

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROGERS SHIPP,

Plaintiff,

v.

FINANCIAL FREEDOM, a division  
of ONE WEST BANK, N.A.,

Defendant.

Case Number 15-13034

Honorable David M. Lawson

Magistrate Judge David R. Grand

**ORDER ADOPTING REPORT AND RECOMMENDATION,**  
**GRANTING DEFENDANT'S MOTION TO**  
**DISMISS, AND DISMISSING COMPLAINT**

Presently before the Court is the report issued on April 29, 2016 by Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the defendant's motion to dismiss and dismiss the complaint with prejudice. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #14] is **ADOPTED**.

It is further **ORDERED** that the defendant's motion to dismiss [dkt. #7] is **GRANTED**, and the complaint is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: May 24, 2016

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 24, 2016.

s/Susan Pinkowski  
SUSAN PINKOWSKI